

REMARKS

General:

Claims 19-37 were pending in the application before this amendment. Claim 38 is new. Claims 19-38 are pending in this application after this amendment.

Previous submissions:

The arguments in support of claims 19-37 presented in applicant's response mailed under 37 C.F.R. § 1.8(a) on January 3, 2005 are not affected by the present amendment, and are affirmed in their entirety.

Claim 38:

Claim 38 recites that the first and second magnetic fields are generated oblique to each other. Basis for this amendment is found in each of Figures 1, 6, and 8 and their associated description. All of these drawings clearly show the magnets aligned obliquely, that is to say, neither parallel nor perpendicular.

Claim 38 is dependent from claim 19 and is believed to be allowable over the cited reference for the same reasons as claim 19.

In addition, it is believed that the feature recited in new claim 38 would not have been obvious to the person of ordinary skill in the art over the cited reference, U.S. Patent No. 6,489,872 (Vander Heyden et al.). Vander Heyden discloses an NMR flowmeter. In Vander Heyden's device, as in any NMR device, the various coils are arranged exactly orthogonal to one another, so that they will not interact directly. That is important in Vander Heyden's device, so that the detector coils 22, 24 sense only the effect of the magnetic fields on the paramagnetic fluid.

There is nothing in Vander Heyden that would have suggested generating the first and second magnetic fields oblique to one another, as recited in claim 38.

Conclusion:

In view of the foregoing, allowance of claim 38, as well as claims 19-37, is earnestly solicited.

Respectfully submitted

MICHEL RIERA

BY: 

DANIEL A. MONACO
Registration No. 30,480
Drinker Biddle & Reath LLP
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6996
Tel: 215-988-3312
Fax: 215-988-2757
Attorney for Applicant